

November 25, 2008

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St. Paul, MN 55101-2127

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RE: Steve Sviggum, Commissioner, Department of Labor and Industry,  
Complainant v. Golden Living Center - Delano, Respondent;  
OAH Docket No. 11-1901-19364-2  
and  
Steve Sviggum, Commissioner, Department of Labor and Industry,  
Complainant v. Golden Living Center Chateau, Respondent;  
OAH Docket No. 11-1901-19095-2

Dear Counsel:

This letter will confirm our discussions during the conference call on November 17, 2008, and constitutes the Third Prehearing Order. Mr. Glassman requested a continuance of the hearings in the above two contested case proceedings due to impending surgery involving a family member. Mr. Evans (who is now representing the Department of Labor and Industry) indicated that he had no objection to a continuance. The continuance was granted for good cause shown. After further discussion, we selected new hearing dates. Because the discovery period in these cases ended on September 15, 2008, I denied the request made by Mr. Glassman during the telephone call to further extend discovery.

Accordingly, the Second Prehearing Order issued on May 15, 2008, shall be revised as follows:

1. By December 31, 2008, the parties shall exchange proposed exhibit and witness lists. The witness lists shall include a brief summary of the expected testimony of each witness. If any documents identified as exhibits have not yet been exchanged, copies shall be provided with the exhibit lists.

Letter to J. Evans and M. Glassman  
November 22, 2008  
Page Two

2. By February 16, 2009, the parties shall notify the Administrative Law Judge whether they will require the services of a court reporter at the hearings. If no court reporter is requested, the hearings shall be digitally recorded.

3. The hearings in these matters shall commence on Monday, March 2, 2009, at 9:30 a.m. in the courtrooms of the Office of Administrative Hearings, which are located on the first floor of the Stassen Building, 600 North Robert Street, St. Paul. The hearings shall continue on Tuesday, March 3, 2009, if necessary.

4. The parties shall appear at the hearings with at least three copies of each document they plan to offer into evidence. Exhibits shall be premarked.

Please do not hesitate to contact me if you believe that an additional prehearing conference or telephone conference call would be helpful.

Sincerely,

s/Barbara L. Neilson

BARBARA L. NEILSON  
Administrative Law Judge  
Tel.: (651) 361-7845